

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**DAMON RAY HOLLINGSWORTH,**

**Civil No. 05-980 DSD/SRN**

**Petitioner,**

**v.**

**ORDER**

**STATE OF MINNESOTA,**

**Respondent.**

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated May 25, 2005. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

Petitioner's application for a writ of habeas corpus, (Docket No. 1), is summarily dismissed without prejudice.

Dated: June 21, 2005

s/David S. Doty  
David S. Doty, Judge  
United States District Court